

Appl. No.09/728,705
Amtd. dated February 5, 2004
Reply to Office Action of December 12, 2003

REMARKS

In response to the Office Action dated December 12, 2003, Applicant respectfully requests reconsideration based on the following remarks. Applicant respectfully submits that the pending claims are in condition for allowance.

Claims 1-23 were rejected under 35 U.S.C. 103(a) as being unpatentable over Crooks in view of Northington. This rejection is traversed for the following reasons.

Crooks does not teach pre-processed accounts receivable as recited in claim 1. In the claim 1, the pre-processed accounts receivable is defined as "being the total amount of the accounts receivable inputted to the processing entity by said carrier." In claim 1, the pre-processed accounts receivable is compared to the processed accounts receivables to determine if sufficient funds have been collected. Crooks fails to teach pre-processed accounts receivable that are compared to accounts receivable to detect a discrepancy.

In interpreting Crooks, the Examiner apparently considered the predetermined tolerance parameters defined through the utilization of historical billing data in Crooks to correspond to the claimed pre-processed accounts receivable. Applicant respectfully disagrees with this interpretation of Crooks. The tolerance parameters in Crooks are based on past billing data. The pre-processed account receivables in claim 1 correspond to total amount of the accounts receivable inputted to the processing entity by said carrier. These are current account receivable data, not an average based on historical data as described in Crooks. The most recent billing data referenced by Crooks is one previous billing cycle (column 5, lines 36-40). Thus, the historical billing data in Crooks used to define the tolerance parameters is not the same as the pre-processed account receivables in claim 1.

Furthermore, the historical billing data in Crooks cannot be compared to the processed data because the audit process is performed prior to processing the billing information to provide the consolidated amount to each billable entity (col. 6, lines 40-41). Thus, it is not clear how the alleged pre-processed data can be compared to the processed data in Crooks when the processed data does not exist at the time the pre-processed data is utilized. This is different from claim 1 in which the accounts receivable

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are processed prior to comparing the total amount of processed accounts receivable with the total amount of pre-processed accounts.

For the above reasons, Crooks fails to teach comparing pre-processed billing data to processed billing data. Northington was relied upon for disclosing discrepancy and settlement reporting but fails to cure the deficiencies of Crooks discussed above with reference to claim 1. Accordingly, claim 1 is patentable over Crooks and Northington. Claims 2-15 variously depend from claim 1 and are patentable over Crooks and Northington for at least the reasons advanced with respect to claim 1.

Claims 16-23 include features similar to those discussed above with reference to claim 1 and are patentable over Crooks and Northington for at least the reasons advanced with respect to claim 1.

In view of the foregoing remarks, Applicant submits that the above-identified application is now in condition for allowance. Early notification to this effect is respectfully requested.

If there are any charges with respect to this response or otherwise, please charge them to Deposit Account 06-1130 maintained by Applicant's attorneys.

Respectfully submitted,

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